



**Otieno v Republic (Criminal Revision E206 of 2024)  
[2024] KEHC 16523 (KLR) (2 December 2024) (Ruling)**

Neutral citation: [2024] KEHC 16523 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KISUMU  
CRIMINAL REVISION E206 OF 2024  
RE ABURILI, J  
DECEMBER 2, 2024**

**BETWEEN**

**PRINCE OKOTH OTIENO ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

*(From the original conviction and sentence in Kisumu  
Chief Magistrate Criminal Case No. E108 of 2024)*

**RULING**

1. The offender is a 20-year-old convict for the offence of being found in possession of narcotic drugs to wit, 200g of cannabis sativa. He pleaded guilty. The trial court fined him Kshs.10,000 in default to serve 12 months imprisonment on 15<sup>th</sup> May 2024. He is a first offender.
2. Sentence review report filed in court is in favour of Community Service Order but the offender is not willing to serve community service.
3. He has served 6 months of the 12 months' imprisonment. The offender Prince Okoth Otieno is unless otherwise lawfully held, conditionally released from prison not to reoffend for the next 6 months. This is in the spirit of prison decongestion. Prison should never be for people who are willing to go there unless they commit offences deliberately so that they are committed to prison.
4. Signal to issue. File closed.

**DATED, SIGNED AND DELIVERED AT KISUMU THIS 2<sup>ND</sup> DAY OF DECEMBER, 2024**

**R. E. ABURILI**

**JUDGE**

